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TAGS: [KCFE](#) [OSCE](#) [PARM](#) [PREL](#)
SUBJECT: CFE/JCG: APRIL 22 PLENARY - VIGOROUS DEBATE ON
ACCESSION AND NON-COMPLIANCE

REF: A. STATE 40664
[1](#)B. STATE 40727

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for Internet.

1.(SBU) Summary: At the April 22 Joint Consultative Group
(JCG), Russia spoke at length about returning to a discussion
about the terms for states wishing to accede to the a/CFE
Treaty. After Poland delivered a joint statement on behalf
of CFE States Parties in NATO, the U.S., UK, and Germany (in
a long but strong response) responded by rejecting Russia's
contentions and urging Russia to take up the parallel actions
package as the basis for resuming CFE before we discuss
elements for a/CFE. Russia says it is a chicken and egg
situation - NATO wants the chicken (package), Russia wants
the elements (eggs) - which comes first? In addition, the
U.S., Turkey, Norway, Romania, and Germany expressed concern
about Russia's non-compliance with the quarterly reporting
requirements for Kuschchevskaya under the flank document. The
next plenary will be on April 29, with a Hungarian
presentation on "stationing and temporary deployments under
a/CFE" and a Russia raising "specific elements to restore
viability" to CFE. See para 7. The May 6 JCG is likely to be
cancelled. End summary.

Chicken or Egg?

[1](#)2. (SBU) Russia (Ulyanov) began his lengthy presentation by
recalling that it had raised the subject of accession for new
Treaty members previously on November 20, 2007, and not much
has been said about it in the last five months. Russia
believes it is still an important issue, and it understands
that work has been going on with the four prospective members
(Estonia, Latvia, Lithuania, and Slovenia). Reports on the
subject would be welcome. Following are key remarks of the
Russian presentation:

--Russia has seen problems since some of these countries
joined NATO, including a noticeable increase in the military
potential of its neighbors near its northwest border.
Addressing this threat is an essential prerequisite toward
restoring the viability of the Treaty. Territory in these
countries is not subject to limits and this has an impact on

trust for the European continent;

--In 1998, Russia made a commitment to show restraint - conditioned on the existing military situation - in the Leningrad Military District and Kaliningrad and Pskov Oblasts. Russia must stress yet again, that the situation is radically different now. The NATO military bloc has increased its membership and its armaments. Russia is considering its own commitment again in light of this military escalation within NATO. The military balance of 8-9 years ago should be restored. "Russia's preference would be for this balance to be restored by NATO reductions instead of Russian increases;"

--The territory of the Baltic states should be in the flanks. How we determine the levels for these new states is important. Russia has heard no rationale or response to its questions from last fall, and wonders why Allies are reluctant to respond. Russia knows that NATO will discuss terms for accession and an effort is underway to map out the Baltics, future participation;

--Russia reminds us of the December 8, 1998 NATO communique that includes a commitment concerning the use of restraint and flexibility with respect to the pending Adapted CFE Treaty. But what is NATO doing to abide by that statement? According to the protocols for adaptation, each and every state of former Eastern Europe established levels for national and territorial ceilings (NC/TC). This should hold for the Baltics as well (NC=TC). There is no reason for it to be otherwise. "I would be interested in hearing if anyone has a different perspective."

--In reaching agreement on NC and TC for the Balts, we need

to consider the reinvigoration of the NATO Alliance. The March 28 NAC statement reaffirmed Allies willingness to ratify the a/CFE and to consider other measures. However, there has been no follow-up so far. Silent refusal by NATO to discuss these terms refutes, rather than affirms the NAC statement. (Statement will be in the Journal)

3.(SBU) Poland, on behalf of each CFE NATO state, read the text prepared by the JCG-T on the previous day, recalling the paragraph on accession from the March 28 NAC statement. Begin Text:

"Poland, on behalf of (list of NATO CFE states), wishes to recall for all delegations that the North Atlantic Council statement issued on 28 March 2008, states that "upon agreement by NATO and Russia on the parallel actions package... NATO members that are not Parties to the CFE Treaty will publicly reiterate their readiness to request accession to the Adapted Treaty as soon as it enters into force. Following consultations with Allies, they will be open to discussions with all States Parties to the Treaty, including with Russia, on the conditions for their accession." End Text: (see Journal)

--Comment: At the JCG-T the day before, all Allies agreed on the need for a common response to the expected Russian intervention. However, several Allies had instructions to quote directly from the March 28 NAC statement regarding the paragraph on accession, rather than the longer U.S. draft statement. End Comment.

14. SBU) Germany (Richter) followed with its own lengthy remarks, recognizing the concerns Russia has with the "grey zone" on its border that is not controlled by arms control. However, the Baltics and Slovenia have the prerogative to ensure their own security and whether they want to be in the flanks or not under the a/CFE. This is a matter for future negotiations, but at the end of day it does not matter whether ceilings are the same (meaning NCs and TCs are equal), but whether we can ensure national security for all.

--According to the NATO principles from 1997-8 concerning restraint, Germany is prepared to talk about numbers, but

NATO does not intend to increase its forces/numbers near the Russia,s borders, and have not so far. Does Russia share this view or has something happened since 1998?

--Within the JCG, Germany also supports the March 28 NAC statement, including the paragraph referenced by Poland on accession. Four states have repeatedly notified their willingness to accede to the a/CFE. This would expand the arms control network in Europe, and would yield a positive result for European security as a whole;

--After agreement is reached to work on the basis of the parallel actions package, then we can discuss conditions for EIF, including work with states not currently represented in the JCG. We should not discuss this without them;

--Russia should not view this issue in isolation, but as part of NATO,s package. Has Russia reviewed NATO,s offer yet? How does Russia plan to respond?

15. (SBU) Per Ref A, the U.S. (Neighbour) delivered our statement on the March 28 NAC statement paragraph on accession, and other provisos for discussion with the four prospective members. (see Journal).

16. (SBU) The UK (Gare) supported Germany and the U.S., and refuted Russia,s idea that we begin discussions on NC and TCs without the four states since they are entitled to be present for such discussions. With respect to Russia,s claim of massive military force increases, she reminded that the UK provided two presentations on the subject, that proved that military forces had decreased by 50 percent. This was certainly not the result of Russian reductions and NATO increases.

--She expressed concern that Russia may be reconsidering its commitment to show restraint in Kaliningrad, Leningrad and Pskov, and asked for confirmation that this is not being done while negotiations on the parallel action package are underway. She also urged Russia to resume Treaty implementation. While Russia pleas for NATO to restore viability to the Treaty, Russia could also restore viability by restarting its participation.

NATO enlargement threatens Russia...

17. (SBU) In response to Allies replies: Russia agreed that it is not normal to discuss procedural issues for Baltics without their presence. In fact, on November 20, 2007, Russia was ready to invite them to JCG meetings. We need a procedural solution to do so. So far, Russia has only received vague, general answers to its November 20 questions: Would the Balts be in the flanks? What would their NC/TC,s be? Would there be sizable ceilings for them?

--NATO is engaging in sizable increases in Estonia and Lithuania - although not so much in Latvia. For example, Lithuania has 396 APCs - almost the same as the UK, exceeds Portugal and Norway, and is more than most other NATO states. NATO is engaged in arms escalations.

--Russia is not yet reconsidering its policy of restraint, but it is being asked to continue such restraint while the Allies are not doing so in the Baltics. Russia prefers the military balance of 1999 and wants it to be restored, but not by Russian arms increases, but by its neighbors reducing arms. Russia wants a constructive approach.

--Russia challenged (again) the U.S. point that accession can only be done after the EIF of a/CFE. This is a false premise, and Russia will not entertain the veracity of such an assertion. The territory of three Baltic states was excluded from the CFE Treaty by a decision of JCG experts, and therefore they can join the current Treaty by the same mechanism. Does not mean discussions cannot take place on the topic. The point is not whether they are willing to accede -all know they are willing, but under what terms?

--Russia acknowledges the statement made by Poland on the March 28 NAC statement paragraph on what is clearly a Bloc policy. There are four Allies that should be able to consult accordingly. A Bloc approach is not helpful, but reflects the reality on the ground.

--In response to Germany, Russia wants to engage in substantive talks and not to wait for a year (until EIF a/CFE), but NATO is not prepared to do so yet. Is Russia happy about NATO restraint? How should such a question be answered? Depends on the definition of substantial combat forces? Russia has been waiting 11 years for NATO clarity of this concept. In Russia's view, a Lithuanian airfield is being prepared for substantial combat aircraft operations. The NATO Alliance has failed to take up the issue, including how this definition applies to combat aircraft.

--Much has been said about the parallel actions package, but Russia sees a discrepancy as to the way ahead. NATO wants agreement on the package before any elements can be discussed. Russia wants to discuss certain elements, like accession of new states. Which is the chicken, and which is the egg? What do we really stand to benefit by waiting to discuss the elements after the package has been agreed. We will discuss them, now or later - the only difference is tactics. The entire approach should be discussed further at the April 29 JCG Plenary.

--Comment: Per Russia's request for further discussion of "chickens and eggs" on April 29, USDe1 does not believe any new ground will be covered on this subject. The March 28 NAC statement speaks for itself, and there is strong allied support in Vienna to maintain that position here. On April

23, Hungary, as JCG Chair, received and shared with us Russia's outline of points for the April 29 discussion including: "When will it be more appropriate to start discussing the practical issues of restoring the viability of the CFE Treaty: before or after the package solution has been agreed upon?" Russia asserts that practical issues include: defining "substantial combat forces," collective ceilings for NATO, and accession. Mission welcomes additional Washington views. End comment.

...NATO is not a threat to Russia

8.(SBU) Germany made several additional strong points:

--Germany cannot see any plans in the Baltic states as a threat to Russia's national security. What is the threat to Russia's northwest borders by 396 APCs in Lithuania? This number of APCs must have been taken from the Arms Transfers Register, which is only "raw material." Such APCs have not yet been assigned to or modified for specific tasks (reconnaissance, look-alikes, etc.) and may not be covered by CFE, or some may not be used at all (i.e., spare parts). Russia should wait for specific information on their assignments before drawing conclusions.

--NATO has made it clear it does not intend to station substantial combat forces there. However, these states should have the ability to support the Alliance as a whole. The threat environment under the bloc approach is over, and we are in an era of cooperative security now.

--Germany wants a formal response from Russia to the March 28 NAC statement and parallel actions package, but it is not trying to prescribe how Russia responds. Germany is interested in Russia's ideas, and would welcome a response in the JCG.

Kush non-compliance

9.(SBU) Per Ref B, the U.S. (Neighbour) read the statement on Russia's non-compliance with the quarterly information

exchange requirements under the flank document for Kushchevskaya. (JCG.DEL/16/08). Turkey (Begeg) supported the U.S. finding, and expressed disappointment that Russia has not implemented this obligation since its "suspension." Turkey is ready to maintain the flank arrangement and to work with the security concerns of all States Parties, but it expects reciprocity in return. Romania (Neculaescu) and Norway (Schroder) also expressed regret about Russia,s non-compliance in this area.

¶10. (SBU) Germany (Richter) pointed out that transparency provided by the quarterly reports agreed in 1996 during the first Review Conference, was the result of a Russian request for an exemption to the flank zone for certain places, including Kushchevskaya. This is just one more example of the hole growing from the lack of information exchange, which will surely have an impact of overall European security. Germany reiterated its previous call from February 26 for Russia to engage on the approach in the parallel action package.

Russia: "for the 1,001st time"

11.(SBU) Russia impatiently shot back that at the previous meeting it had already reserved its right not to respond to such statements, and sees no need to keep trotting out previous Russian answers. "So for the 1,001st time: Russia suspended all its obligations, including the flank document, and Russian law prohibits it from doing otherwise." Delegations should recall that CFE was signed at a time preceded by colossal strategic shifts, including the demise of the Warsaw Pact and the Soviet Union. The Treaty was outdated soon after signature, especially the flanks. Russia

tried for five years after signature to change this and it was amended when others finally realized its negative impact to Russia,s security.

--Russia was forced to accommodate many extra inspections, semi-annual notifications, and quarterly reports for Kushchevskaya. This was an act of discrimination. No other state was asked to accept such terms. Russia accepted them for the sake of the arms control regime.

--As a result of NATO enlargement, NATO states are the ones violating CFE in a flagrant manner by breaching in physical terms over 5000 tanks and countless APCs and artillery pieces. The U.S. has exacerbated the situation by stationing in Bulgaria and Romania with new ceilings. This makes lack of Kushchevskaya reporting pale by comparison. This discrimination should end.

¶12. (SBU) The U.S. responded briefly by recalling our explanations in the JCG last fall of U.S. activity in Bulgaria and Romania, and noted that there is no U.S. TLE present there. Turning to Russia's response on Kushchevskaya, the U.S. said Russia remains a party to the CFE Treaty and still has an obligation to provide this information since there is no Treaty provision for "suspension." Also, we referred to Russia,s last (March 2007) quarterly report on Kushchevskaya and highlighted the large numbers of TLE located there. Turkey reiterated its right to raise issues of non-compliance with the Treaty to the JCG.

¶13. (SBU) Germany reacted negatively toward Russia,s use of the word "discrimination" and said it was not appropriate for our negotiations. All are subject to discrimination in some way or another - we are all different sizes, have different geography, military forces, etc. Thus, we all have different duties with respect to information exchange. Under Germany,s 4 2 Treaty, it agreed that no foreign troops may be present on certain parts of the combined German territory. This was a compromise, and we all have to do so to enter into agreements. We need a stable, transparent system for mutual confidence.

¶14. (SBU) Russia, unable to resist the last word, took

Germany,s point about preventing foreign troops on part of ones territory, but recalled that CFE prohibits Russia from stationing Russian troops on its own territory. Perhaps this should be considered a "colonialist" view rather than discriminatory. Lastly, Russia echoed Turkey,s point that it is prepared to take on board the concerns of others and hopes consultations will provide the basis for a common language.

AOB:

¶15. (SBU) TOI Chair (Fardellotti, Italy) drew attention to the reference document agreed by the JCG Treaty Operations and Implementation working group (TOI) last week, as circulated under JCG.TOI/8/08. This TOI Chairman,s Statement, and its attachment will become the new version of the reference document for the "List of Notifications and Formats," replacing the 1991 version.

¶16. (SBU) Norway announced that it will swap dates with Poland for chairing the JCG.

¶17. (SBU) Poland, as current JCG-T chair, noted that on May 6 an important meeting will be held in Brussels, and recommended that the JCG Plenary be canceled for that date. Hungary, as current JCG Chair, has consulted on the proposal, including with Russia, and says there is consensus to cancel the meeting on May 6. This will be formally agreed at the April 29 JCG plenary.

¶18. (SBU) Hungary reminded delegations that it would be making a presentation to the April 29 JCG on "stationing and temporary deployments during a/CFE and beyond."

¶19. (SBU) At the JCG-T, Germany said it would move its planned presentation to May 13 given the May 6 HLTF date.

SCOTT